

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

Frister: 13.7.05
12.8.05

PCT

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY

(PCT Rule 66)

To:

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RECEIVED

2005 -06- 16

Wagner Zacco AB

Date of mailing
(day/month/year)

14 -06- 2005

Applicant's or agent's file reference

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REPLY DUE

within 60 days from
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International application No.

PCT/SE2004/001182

International filing date (day/month/year)

12.08.2004

Priority date (day/month/year)

13.08.2003

International Patent Classification (IPC) or both national classification and IPC

F24F 13/068

Applicant

Airson AB et al

1. ☒ The written opinion established by the International Searching Authority:
☒ is ☐ is not
considered to be a written opinion of the International Preliminary Examining Authority.
2. This second (first, etc.) opinion contains indications relating to the following items:
 - ☒ Box No. I Basis of the opinion
 - ☐ Box No. II Priority
 - ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - ☐ Box No. IV Lack of unity of invention
 - ☒ Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - ☐ Box No. VI Certain documents cited
 - ☐ Box No. VII Certain defects in the international application
 - ☐ Box No. VIII Certain observations on the international application
3. The applicant is hereby **invited to reply** to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(e).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis. For an informal communication with the examiner, see Rule 66.6. For an additional opportunity to submit amendments, see Rule 66.4.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary report on patentability (Chapter II of the PCT) must be established according to Rule 69.2 is: 13.12.2005

Name and mailing address of the IPEA/SE

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WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

International application No.

PCT/SE2004/001182

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion is based on a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

- ☐ international search (under Rules 12.3 and 23.1(b))
☐ publication of the international application (under Rule 12.4)
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this opinion has been established on the basis of (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed."*):

☐ the international application as originally filed/furnished

☒ the description:

pages 2-7 as originally filed/furnished

pages 1 (obvious error corrected) received by this Authority on 11.03.2005

pages _____ received by this Authority on _____

☒ the claims:

pages _____ as originally filed/furnished

pages 12-15 } same as amended (together with any statement) under Article 19

pages 12-15 received by this Authority on 11.03.2005

pages _____ received by this Authority on _____

☒ the drawings:

pages 1-3 as originally filed/furnished

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

4. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

International application No.

PCT/SE2004/001182

Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims

Claims

Inventive step (IS)

Claims

1-22

Claims

Industrial applicability (IA)

Claims

Claims

2. Citations and explanations:

The invention refers to an air supply device and is aimed at achieving clean air in spaces.

Documents cited in the search report:

D1 SE 516775 C2

D2 DE 2608792 A1

The preamble of claim 1 states a device for obtaining zones of clean air. In the claim the construction of such a supply air device is described that is aimed at creating an undertempered, uniform low velocity flow creating as little turbulence as possible in the boundaries of the supplied air and air that already is present in the area. The degree of cleanness in the premises and its zones will of course depend greatly on how clean the supply air is and how clean the spaces are to which it is led.

D1 describes an air supply device that takes in air from a low level of the premises through a device driven by a fan. The aim is to achieve clean air zones and avoid turbulence within the clean air zone, compare page 5. The supplied air has a lower temperature than room air and is supplied through a body member consisting of two cell body layers, an inner (23b) one and an outer (23a) one. These layers are both porous, compare page 4, col. 3. D1 includes cooling means (13), a fan (12) and the shape of air discharge unit 15 can be half-spherical, nearly circular, as indicated in fig. 2 or may have another form than the one described and shown, see page 6. The invention according to claim 1 differs from the device in D1 in that the outer layer consists of many small, parallel

.../...

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V

outlet channels with a length at least four times longer than the "width". Due to these features, a more laminar flow is achieved. A solution to this problem is known from D2. D2 discloses an air supply device for producing radial air flow displacement into a clean area while causing as little turbulence as possible. It consists of a curved surface with an inner fabric layer and an outer arrangement of many conical, parallel small channels. In order to get a laminar flow, any person within this field is well aware of the fact that the length of such channels should be longer than the cross section and this is also indicated from the figures in D2. It is therefore considered to be obvious for a person skilled in the art to use the teachings of D2 together with prior art as specified in D1 in order to achieve an air supply device according to claim 1. Accordingly, the device as claimed in claim 1 lacks an inventive step.

Also, the person skilled in the art having D2 as a starting point, aiming to solve the identified problem, would realise that the inner woven layer in D2 can be replaced with a porous layer, such as in D1. A person skilled in the art might even look upon the woven layer as a porous layer. By using a porous woven layer or replacing the woven layer with a porous layer, the skilled person would arrive at the invention according to claim 1.

D1 and D2 both relate to the same technical field and the combination of what is known from D1 and D2 is considered obvious.

For one skilled in the art with general knowledge and considering what is known from D1-D2, dependent claims 2-22 only appear to contain such alternatives that must be considered obvious. Claims 2-22 are not considered to involve an inventive step.